IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIFTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

and
HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION NO : 31950 of 1998

Between:

S.Sharathkumar, S/o. S.Rambhav,
5,Firmanwadi, Abids,
Hyderabad.

..... PETITIONER

AND

1 The Govt. of A.P. rep. by its Secretary, School Education Department,
Secretariat Buildings, Hyderabad.
2 The Govt. of A.P. Rep. by it's Chief Secretary
Secretariat Buildings , Hyderabad.
3 District Educational Officer,
Ranga Reddy District, Hyderabad.
4 Director, School Education, A.P.
Hyderabad.
5 Station House Officer, Chandanagar P.S,
Chandanagar, Ranga Reddy District.
6 Vidyaniketan Public School, Rep. by its Correspondent-cum-Principal, Taranagar.

(R6 is impleaded as per court order dt.16.12.1998 in W.P.M.P.No. 42026/98).
7 Serilingampally Municipality, Rep. by Commissioner,
Serilingampally.
8 Sri I.Srinivas , Licenced Building Surveyor,
Lic.No.25/94,
Serilingampally Municipality, Ranga Reddy District.
(R7 & R8 are impleaded as per court order dt.28-12-98 in
W.P.M.P.43935/98).

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue an appropriate Writ, order or direction, more particularly a writ in the nature of Mandamus, and call for a report from the District Educational Officer, R.R.Dist, as to what steps he has taken to prohibit the running of the schools in dilapidated buildings and how many schools in the Dist. are facing the threat of collapse and the action taken by him and consequently direct respondents to pay a compensation of Rs. 4 lacs to the parents of Ayesha Siddiqui who died on the spot and Rs. 2 lacs each to the injured forthwith and pass such other order or orders as are deemed fit and proper.

Counsel for the Petitioner : MR.S.SHARAT KUMAR

Counsel for the Respondent Nos. 1, 3 & 4: GP FOR SCHOOL EDUCATION.

Counsel for the respondent No.6: Mr. K.M. Mahendar Reddy.

Counsel for the responent Nos. 2, 5, 7 & 8: None appeared.

The Court made the following :

ORAL ORDER:

(Per Hon'ble The Chief Justice)

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1. This is a petition filed as public interest litigation by a public spirited person seeking action to be taken against the school authorities for collapse of a building resulting in death of a student and injuries to some other students.

2. Admittedly school was not run by the State Government but was being run by a private institution which was later on impleaded as respondent No.6. Prima facie it is not a case of criminal negligence. Criminal case was registered and the said criminal proceedings are stated to be pending.

3 . At the outset, in a writ jurisdiction it will not be appropriate for us in a petition filed as public interest litigation to issue any direction to a private institution to compensate the parents of the deceased or to pass any other order. Reserving liberty to the petitioner and affected parties to work out their remedies in appropriate

Civil Court seeking compensation, we close this writ petition. No costs.

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DEVINDER GUPTA. C.J.,

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C.V. RAMULU. J.,

Dated: 25.10.2004.

VRK.

To

1 The Secretary, Govt. of A.P., School Education Department,
Secretariat Buildings, Hyderabad.
2 The Chief Secretary, Govt. of A.P., Secretariat Buildings,
Hyderabad.
3 The District Educational Officer, Ranga Reddy District,
Hyderabad.
4 The Director, School Education, A.P.
Hyderabad.
5 The Station House Officer, Chandanagar P.S,
Chandanagar, Ranga Reddy District.
6. The Officer concerned, Public Interest Litigation Cell, High
Court Buildings, Hyderabad.

7. The Secretary, A.P. State Legal Aid & Advisory Board, High Court Buildings, Hyderabad.

8. The Secretary to Government of A.P., Home Department, Secretariat, Hyderabad.

9. Two CCs to G.P. for School Education, High Court Buildings, Hyderabad (OUT).

10. Two CD copies.

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE C.V. RAMULU.

W.P.NO. 31950 OF 1998.

(Order of the Bench delivered by

Hon'ble The Chief Justice)

Dt: 25.10.2004.

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